

May 31, 2004

Docket Management System  
Docket No. FAA-2004-17460  
U.S. Department of Transportation  
Room Plaza 401, 400 Seventh St., NW  
Washington, DC 20590-0001

RE: Comments for Lake Meade National Recreation Area Air Tour Management Plan Scoping

To Whom It May Concern:

These comments are submitted on behalf of the Southern Nevada Group of the Sierra Club in Las Vegas. The comments supplement verbal comments that I made at the scoping meeting in Henderson, Nevada earlier this spring. There were informal discussions at the scoping meeting with local FAA and National Park Service employees regarding existing routes in LMNRA. I also attempted unsuccessfully to meet with NPS employees to gather additional information regarding existing routes. It is apparent from the Henderson scoping meeting and informal discussions that: 1) present air tour routes are voluntary; 2) there is no clear understanding of the number air tour operations and routes taken solely within the LMNRA; and conversely 3) there is no clear definition or method to identify those tour operations that are exempt from the Air Tour Management Plan (ATMP) for LMNRA by virtue of the exemption for air tours using LMNRA solely as a transportation corridor to the Grand Canyon. Because of this present lack of information, comments regarding specific routes are more general in nature.

The objective of the Southern Nevada Group of the Sierra Club in commenting in this scoping process is to, among other things: 1) protect existing and proposed wilderness areas; 2) protect the plants and animals that inhabit these areas and the surrounding environment; 3) preserve the quality of the wilderness experience, including minimizing/eliminating disruptions due to artificially created noise; and 4) seek to preserve and respect Native American cultural sites.

### **National Park Service Involvement**

The FAA should recognize and defer to NPS expertise in evaluating impacts of air tour operations on plants, animals, and wilderness values.

### **Exemption for Grand Canyon Tours**

The LMNRA ATMP must precisely define the air tours that are subject to the ATMP and those that are not by virtue of the exemption for air tours using LMNRA solely as a transportation corridor to the Grand Canyon. The definition should be precise so that the exemption is not stretched to avoid meaningful application of the ATMP. It is also necessary to develop the definition as an immediate priority, or it will be impossible for FAA to meaningfully examine and address the impact of operations subject to the ATMP. The definition should take into consideration elevations and directness of route. "Exempt" flights should not be flying at low elevations and on non-direct routes to the Grand Canyon that exacerbate impacts on wilderness

areas and primitive zones. As a means of detecting aircraft subject to the ATMP, the FAA should develop rules pertaining to aircraft designations/signage/flight numbers.

### **Cumulative Impacts of Noise**

Even if a significant percentage of air tours over LMNRA are exempt from the ATMP based on the Grand Canyon exemption, the FAA must still consider the impact of all aircraft noise to properly perform an environmental assessment. These noise assessments should be conducted throughout LMNRA and at all times of the day. The FAA should not seek to avoid taking measures to protect wilderness values even if a significant number of air tours fall within an “exempt” category.

### **Protection of Wilderness/Proposed Wilderness**

The LMNRA ATMP covers a number of significant wilderness areas, wilderness study areas, and proposed wilderness areas. These wilderness areas have substantial beauty and wilderness qualities including remote location and pristine, undeveloped environments. Several wilderness areas/study areas have significant populations of native species including the Desert Bighorn Sheep. In order to protect wilderness values (including freedom from unnecessary artificial noise) and to minimize disruption to native species, the FAA should undertake a number of strategies, including:

- Caps on air tour operations within the LMNRA;
- Creation of defined air tour routes;
- Restrictions/limitations on flights over wilderness/proposed wilderness areas (as part of this, FAA should consider elimination of flights and/or establish “no flight” days so that wilderness visitors may choose a less disruptive day to be in a wilderness area);
- Restrictions/limitations on flights during times of the year and in locations that flights may disrupt species reproduction;
- Restrictions on the time of day (such as curfews on flights during sunrise or sunset);
- Restrictions on frequency of flights during the day (i.e. concentration of flights during a short period as opposed to recurrent flights all day long); and
- Elevation of flights.

### **Protection of Primitive/Semi-Primitive LMNRA designations**

The FAA should undertake a plan that will harmonize air tour operations with existing primitive/semi-primitive zones on LMNRA by eliminating or limiting flights in these zones. The FAA should consider all of the above strategies in protecting these zones.

**Protection of Native American Cultural Sites** The FAA should undertake a plan that will protect and minimize the disruption to numerous Native American cultural sites located throughout LMNRA.

## **Enforcement**

The FAA, in coordination with NPS, should develop rules to address non-compliance with the plan. The ATMP should directly address enforcement mechanisms and budgeting of enforcement measures.

Thank you for the opportunity to comment.

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